

REMARKS

Applicants respectfully request entry of the amendments presented in this submission and also that these Remarks be considered. Applicants submit that these amendments are in compliance with 37 C.F.R. §1.312 and represent amendments which may be entered on recommendation of the Primary Examiner.

No fee is believed due in connection with this submission, however, if any fee is due, the Commissioner is hereby authorized to charge the requisite fee, or any fees that may be due in connection with this and the attached papers, or with this application during its entire pendency, or to credit any overpayment, to Deposit Account No. 04-1679.

Claims 16 to 26 and 43 to 101 were allowed as set forth in the Notice of Allowance mailed on February 21, 2006. Claims 81 to 90 and 92 to 101 are amended herein to correct minor errors and to clearly set forth claim dependency. Support for the amendments to the claims is found throughout the specification and claims as originally filed. Applicant submits that these amendments present no issue of new matter and would require no additional search.

The Specification has been amended to insert a paragraph on the first page which sets forth its priority claims and to correct clerical and other minor errors and to clearly set forth unit concentration symbols on pages 17, 20 and 27.

The present application is a national stage application of PCT/GB00/00238 (WO00/44409), having an international filing date of January 27, 2000, and claiming the benefit of priority to the following New Zealand patent applications: NZ 333928 and NZ 500190. Certified priority documents were timely deposited with the International Bureau during the international phase of the application and were later formally transmitted to the USPTO in accordance with requirements for entry into the National Stage pursuant to 35 U.S.C. §371. Applicants' claims of priority were acknowledged in the Filing Receipt from the USPTO mailed January 8, 2002. A copy of the Filing Receipt is attached to this submission. Applicants note that the foreign priority claim is properly acknowledged by the USPTO according to entries on PAIR.

In the Specification, on page 1, a new paragraph is added as the (new) first paragraph which sets forth the relationship of the present application to the New Zealand applications from which it claims priority.

The paragraphs at page 17, lines 14 to 18; page 20, lines 9 to 19; and page 27, lines 10 to 24 have been amended to correct minor errors in the unit concentration symbols, where in certain instances "mM" was used instead of " μ M". Applicants note that one of skill in the art would have recognized this. In particular, on pages 17, 20, and 27 of the published international application, the specification contains the "mM" units where " μ M" were clearly intended and is the appropriate unit. Applicants note further that in priority document NZ500190, the " μ M" symbol was used. A photocopy of the certified NZ priority document (NZ500190) is enclosed herein for the Examiner's convenience.


The clarifications on pages 17, 20, and 27 also find support on pages 11, 13, and 20 of the NZ 500190 priority document respectively as well in a publication (*Developmental Genetics* 24: 33-42; 1999) published after filing of NZ500190 and which includes experiments which are substantially the same. A copy of the 1999 *Dev. Gen.* publication is enclosed herewith for the Examiner's convenience.

Applicants submit that the amendments to the specification are directed to changes that are in the nature of formal matters and, thus, represent amendments which may be properly presented under 37 C.F.R. § 1.312.

Applicants respectfully request that the present amendments be entered and the above Remarks be considered.

If the Examiner believes that a telephonic interview would expedite prosecution of this application, he is encouraged to telephone the undersigned applicant's attorney.

Respectfully submitted,

By: 
Suzanne L. Biggs, Ph.D.
Reg. No. 30,158

DUANE MORRIS LLP
101 West Broadway, Suite 900
San Diego, CA 92101-8285
(O) 619.744.2210
(F) 619.744.2201